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EXPLANATION: STAFF USE OF COMMUNICATION DEVICES

This policy was revised to replace the term "cell phone" with "communication device." The market continues to develop new electronic methods of communication, and this policy needs to apply to all these devices.

The policy was also amended to define "use/using" a communication device and to recognize that district employees may appropriately use personal electronic communication devices for instructional purposes.

MSBA removed the section titled "Technology Safety" because many districts are allowing employees to synchronize their electronic devices with the district's network. Districts are free to keep this language or modify it to best suit the specific needs of the district.

E-Rate rules do allow school districts to use funds to pay for services such as data plans and wireless service that are used for both business and personal use IF the application for E-Rate funds only requests the discount for the portion of the use that is for business purposes. For example, if the district provides smart phones to employees, and the phones or service are funded using the E-Rate discount, no personal use would be allowed. However, if the district allocated the funding 50 percent eligible and 50 percent ineligible, the district could allow personal use for up to 50 percent of the funded amount. More information is available from the Schools and Libraries section of the Universal Service Administrative Company at <http://www.usac.org/sl/>.

MSBA recommends that copies of this document be routed to the following areas because the content is of particular importance to them. The titles on this list may not match those used by the district. Please forward copies to the district equivalent of the title indicated.

Board Secretary	X	Business Office		Coaches/Sponsors
Facility Maintenance		Food Service		Gifted
Human Resources	X	Principals		Library/Media Center
Health Services		Counselor		Special Education
Transportation		Public Info/Communications	X	Technology

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STAFF CELL PHONE USE OF COMMUNICATION DEVICES

The FIELD(DistrictCommonName) encourages district employees to use technology, including cell phones communication devices, to improve efficiency and safety. The district expects all employees to use such communication devices in a responsible manner that does not interfere with the employee's job duties. Employees who violate district policies and procedures regarding cell phone governing the use of communication devices may be disciplined, up to and including termination, and may be prohibited from possessing or using a cell phone communication devices while at work. Cell phones Communication devices may not be used in any manner that would violate the district's policy on student-staff relations.

Definitions

Cell Phone Communication Device – All Any portable devices except laptops that sends or receives calls or text messages, allows the retrieval of e-mail or provides access to the Internet.

Use/Using – Answering the phone or talking on the phone; sending or responding to a text, e-mail or other communication; opening and viewing pictures or digital recordings; opening and listening to music or audio communications; continuously checking a communication device; or any activity with a communication device that interferes with the employee's job duties or appropriate supervision of students.

General Cell Phone Use

The district prohibits any employees cell phone use from using any communication device that interrupts or disrupts the performance of duties by the employee or otherwise interferes with district operations, as determined by the employee's supervisor. This prohibition applies regardless of whether the cell phone communication device used is owned by the employee or provided by the district.

Employees are responsible for keeping communication devices secure and, if possible, password protected.

Supervision of students is a priority in the district, and employees who are responsible for supervising students must concentrate on that task at all times. Employees shall not use a cell phone communication devices when they are responsible for supervising students unless any of the following conditions occurs:

1. There is an emergency. The device is being used to instruct the students being supervised at the time.

2. The use is necessary to the performance of an employment-related duty ~~at that particular time and cannot be avoided.~~
3. The employee has received specific and direct permission from a supervisor. ~~Supervisors shall limit such permission to unusual circumstances such as communication regarding a family birth or surgery.~~
4. **There is an emergency.**

Even when these conditions exist, the employee is responsible for obtaining assistance in adequately supervising students during the approved use so that students are supervised at all times.

Use in Vehicles

Regardless of other provisions of this policy, unless there is an emergency, employees shall not use ~~cell phones~~ **communication devices** when:

1. Driving district-provided vehicles.
2. Operating a vehicle in which a student is being transported ~~on district property~~ **when the transportation is provided as part of the employee's job.**
3. Supervising students who are entering or exiting a vehicle, crossing thoroughfares or otherwise safely reaching their destinations.

Even in emergency situations, employees should first take all possible safety precautions before using ~~cell phones~~ **communication devices**.

Technology Safety

~~To protect district technology, the district does not allow personal cell phones to be synchronized with the district's network. Employees should contact the district's technology director for alternative methods of synchronization, if feasible.~~

Use of District-Provided ~~Cell Phones~~ **Communication Devices**

The district may provide ~~cell phones~~ **communication devices** and service to some employees to assist them in carrying out their employment-related duties on and off district property. Use of a district-provided ~~cell phone~~ **communication device** is a privilege. The superintendent or designee has sole discretion as to which employees will be provided ~~cell phones~~ **communication devices** and may recall any previously issued ~~cell phone~~ **communication device**. Employees do not have any expectation of

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privacy in district-provided cell phones communication devices or any information stored on them, and such phones devices may be confiscated and searched at any time.

Employees are expected to exercise reasonable care to protect district-provided cell phones communication devices from damage or theft and must report any such incidents immediately. The district may require employees to reimburse the district for any damage or theft that was the result of the employee's negligence. Users of district-provided cell phones communication devices must abide by any use limitations included in the district's service contract.

Personal Use of District-Provided Cell Phones Communication Devices

Personal use of district-provided cell phones communication devices is permissible as long as the use does not exceed the limits of the applicable plan. However, personal use of a cell phone is not permitted if the phone or service is paid for under E-Rate. An employee whose use exceeds plan limitations will be required to reimburse the district for all expenses beyond those covered by the plan and may have privileges suspended or revoked unless the employee can show that all use was for employment-related duties and the phone device was not used for personal reasons. The amount of personal use of a communication device or service paid for under E-Rate can be no greater than the cost allocation submitted in the request for the E-Rate discount.

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Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.

Adopted: FIELD(AdoptDate)

Revised:

Cross Refs: AC, Prohibition against Discrimination, Harassment and Retaliation
EHB, Technology Usage

Legal Refs: U.S. Const. amend. IV
47 C.F.R. §§ 54.500, .513, .522

FIELD(DistrictLocationLine)